

to implement an interim and then permanent remedy for SSO 700 and to implement certain other specified capital improvement projects, which are expected to eliminate other "highly active" SSOs. In addition, defendants are required to perform comprehensive modeling and analysis of their sanitary sewer system and to propose a comprehensive plan to address the rest of their SSOs and to provide adequate future system capacity. The decree specifically reserves claims of the United States for penalties related to these unauthorized discharges, as well as claims for penalties and injunctive relief concerning other sewer system violations, including among others, violations concerning defendants' wastewater treatment plants and combined sewer system.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of Ohio v. Board of County Commissioners of Hamilton County and the City of Cincinnati*, D.J. Ref. 90-5-1-6-341A.

The decree may be examined at the Office of the United States Attorney for the Southern District of Ohio, 221 E. 4th Street, Atrium II, Suite 400, Cincinnati, Ohio 45202, and at U.S. EPA Region V, 77 West Jackson Blvd, Chicago, IL 60604-3590. A copy of the decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy of the decree, including its exhibits, please enclose a check in the amount of \$209.00 (25 cents per page reproduction cost) payable to the Consent Decree Library. In requesting a copy exclusive of exhibits, please enclose a check in the amount of \$18.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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## DEPARTMENT OF JUSTICE

**[AAG/A Order No. 225-2002]**

### Privacy Act of 1974; Notice of the Removal of a System of Records

This notice serves to correct the notice of removal of a Privacy Act system of records of the Bureau of Prisons (BOP), published by the Department of Justice on November 13, 2001 (66 FR 56860), relating to "Industrial Inmate Employment Record System, BOP-003". That notice had a substantive error. The notice should have read as follows.

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Bureau of Prisons (BOP), Department of Justice is removing a published Privacy Act system of records entitled "Industrial Inmate Employment Record System, JUSTICE/BOP-003." Inmate payroll records have been transferred to the system of records entitled "Inmate Central Records, JUSTICE/BOP-005." The remainder of the records have been destroyed in accordance with approved records retention and disposal schedules. The National Archives and Records Administration removed the requirement that any records be offered for permanent retention. Therefore, the "Industrial Inmate Employment Record System," last published in the **Federal Register** on September 28, 1978, 43 FR 44733, is removed from the Department's compilation of Privacy Act systems.

Dated: February 13, 2002.

**Robert F. Diegelman,**

*Acting Assistant Attorney General, for Administration.*

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## DEPARTMENT OF JUSTICE

**[AAG/A Order No. 252-2001]**

### Privacy Act of 1974; System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) notice is given that the Federal Bureau of Prisons (Bureau) proposes to modify its System of Records "Office of Internal Affairs (OIA) Investigative Records, JUSTICE/BOP-012." This system, which was last published on August 29, 1995, (60 FR 44901), is now being modified and will become effective sixty (60) days from the date of publication.

Information in this system relates to matters for which the OIA has responsibility pursuant to the Inspector General Act of 1978, 5 U.S.C. App. 3, as

amended by the Inspector General Act Amendments of 1988. Responsibilities include auditing, inspecting, and investigating BOP programs and operations with an objective to promote economy, efficiency, and effectiveness in the administration of such programs and operations and to prevent and detect fraud, waste, and abuse in such programs and operations. The system covers records relating to BOP investigations of appropriate individuals and entities, including staff misconduct.

Appropriate sections have been revised to reflect technological advances and new agency practices regarding the storage, retrieval, access, retention and disposal of records in the system. For example, digital recordings and Compact Discs (CDs) have been added to the sections describing Categories of Records and Storage. System locations and description of records have been updated. One routine use has been revised and two routine uses have been added: Routine Use (d) has been revised to permit the BOP to initiate disclosure of staff misconduct information to other government and private correctional entities, as well as responding to inquiries by them, as currently permitted. Routine Use (i) has been added to allow disclosure to contractors. Routine Use (j) has been added to allow disclosure to former employees. All other sections remain the same, including the exemptions from certain provisions of the Privacy Act, as previously promulgated.

Title 5 U.S.C. 552a(e)(4) and (11) provide that the public be provided a thirty (30) day period in which to comment. The Office of Management and Budget (OMB), which has oversight responsibilities under the Privacy Act, requires that it be given a forty (40) day period in which to review the system. Therefore, please submit any comments by April 1, 2002. The public, OMB, and the Congress are invited to send written comments to Mary Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (1400 National Place Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress on the proposed modification.

A description of the modified system is provided below. Although there were only a few changes to the system as previously published, the entire notice is provided below for the convenience of the public.